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THE IMPEACHMENT TRIAL.

A CLINCHER BY THE HON. THADDEUS STEVENS—THE VETERAN IS TOO FEEBLE TO READ HIS ENTIRE ARGUMENT, AND GEN. BUTLER READS THE CONCLUSION—ELABORATE ARGUMENT BY MANAGER WILLIAMS—MR. EVARTS PROBABLY TO FOLLOW.

BY TELEGRAPH TO THE TRIBUNE.

WASHINGTON, Monday, April 27, 1868.

The usual formalities were observed to-day in the opening of the Impeachment Court at 12 o'clock. At that hour nearly every seat in the galleries was occupied, and the chairs and lounges on the floor, assigned to the Representatives and others entitled to admission to that quarter, were nearly all filled. The diplomatic gallery was nearly deserted, the principal occupants being Anthony Trollope and two American young women. The question of admitting the official reporters to the secret deliberations on the verdict, and the kindred one of limiting each speaker, were the first in order. Both propositions were kept before the Court 20 minutes, when, after a few divisions, it became evident that there was but slight prospect of an agreement, and the whole subject was postponed until after the final arguments shall have been made. At 12½ the Chief-Justice turned to the Managers' table and directed them to proceed with their argument.

Mr. Thaddeus Stevens, who appeared stronger than usual, ascended to the Secretary's desk, and began to read his speech, which was in print. His voice was feeble, but it was nevertheless sufficiently strong at first to be audible by more than one-half of the audience. He was listened to with the closest attention. Senators Morton, Cameron, Drake, Fowler, Conkling, Stewart, and others left their desks, and took seats within the inner circle of benches, as near as possible to where Mr. Stevens stood. He had been reading only 25 minutss when it became evident that he could not continue much longer. He handed the papers to Gen. Butler, who read the remainder of his argument, finishing at 1:34. His speech was purely legal and argumentative, and it commands general approbation.

Mr. Williams followed Mr. Stevens, and continued, except during the thirty minutes recess, until 4 o'clock, when he requested the Court to adjourn, as he felt nearly exhausted, and could not possibly finish to-day. His wishes were of course complied with, and the Court adjourned. Mr. Williams will occupy about two hours in finishing to-morrow, and if Mr. Stanbury does not appear with his written speech, Mr. Evarts will follow Mr. Williams.

THE FULL REPORT.

The Court was opened in due form at noon; the pending question was stated to be the order of Senator Edmunds, That the official reporters be admitted to the Secret Session, to take down the debates on the final question, to be reported with the proceedings. Mr. WILLIAMS moved to amend by providing that no Senator shall speak more than once, nor to exceed 15 minutes during such deliberations. Mr. JOHNSON called for the reading of Rule 23, and it was read. Mr. JOHNSON—That will be on each Article.

Mr. HOWARD moved to amend the amendment by inserting after the words "fifteen minutes," the words "on one question;" but the amendment was rejected by the following vote:

YEAS.

Bayard,	Fessenden,	Howard,	Saulsbury,
Buckalew,	Fowler,	Johnson,	Trumbull,
Davis,	Frelinghuysen,	McCreery,	Vickers,
Dixon,	Grimes,	Norton,	Willey—19.
Doolittle,	Hendricks,	Patterson (Tenn.),	

NAYS.

Cameron,	Ferry,	Nye,	Sumner,
Cattell,	Harlan,	Patterson (N. H.),	Thayer,
Chandler,	Henderson,	Pomeroy,	Tipton,
Conkling,	Howe,	Ramsey,	Van Winkle,
Corbett,	Morgan,	Ross,	Wilson,
Cragin,	Morrill (Me.),	Sherman,	Williams,
Drake,	Morrill (Vt.),	Stewart,	Yates—30.
Edmunds,	Morton,		

The question recurring on Senator Williams's amendment, Mr. BAYARD moved to amend by striking out fifteen and inserting thirty. The amendment was rejected by the following vote:

YEAS.

Bayard,	Dixon,	Grimes,	Norton,
Buckalew,	Doolittle,	Hendricks,	Patterson (Tenn.),
Corbett,	Fessenden,	Johnson,	Saulsbury,
Davis,	Fowler,	McCreery,	Vickers—16

NAYS.

Anthony,	Frelinghuysen,	Nye,	Thayer,
Cameron,	Harlan,	Patterson (N. H.),	Tipton,
Cattell,	Henderson,	Pomeroy,	Trumbull,
Chandler,	Howard,	Ramsey,	Van Winkle,
Conkling,	Howe,	Ross,	Willey,
Cragin,	Morgan,	Sherman,	Williams,
Drake,	Morrill (Me.),	Stewart,	Wilson,
Edmunds,	Morrill (Vt.),	Sumner,	Yates—34.
Ferry,	Morton,		

On motion of Mr. MORTON, seconded by Mr. HOWARD, the further consideration of the subject was postponed until after the conclusion of the argument. The additional rules offered by Mr. Sumner were also, on his motion, laid over until the close of the argument.

The CHIEF-JUSTICE directed that the argument proceed, and at 12:30 Mr. Stevens stepped to the Clerk's desk and read his argument. After about ten minutes, he took a chair and read sitting. At five minutes before 1 o'clock his voice showed signs of weakness and Mr. Butler read the remainder of the argument.

SPEECH BY THE HON. THADDEUS STEVENS.

MAY IT PLEASE THE COURT: I trust to be able to be brief in my remarks, unless I should find myself less master of the subject which I propose to discuss than I hope, experience having taught that nothing is so prolix as ignorance. I fear I may prove thus ignorant, as I had not expected to take part in this debate until very lately. I shall discuss but a single article—the one that was finally adopted upon my earnest solicitation, and which, if proved, I considered then, and still consider, as quite sufficient for the ample conviction of the distinguished respondent, and for his removal from office—which is the only legitimate object for which this impeachment could be instituted. During the very brief period which I shall occupy, I desire to discuss the charges against the respondent in no mean spirit of malignity or vituperation, but to argue them in a manner worthy of the high tribunal before which I appear, and of the exalted position of the accused. Whatever may be thought of his character or condition, he has been made respectable and his condition has been dignified by the action of his fellow-citizens. Railing accusation, therefore, would ill become this occasion, this tribunal, or a proper sense of the position of those who discuss this question on the one side or the other. To see the chief servant of a trusting community arraigned before the bar of public justice, charged with high delinquencies, is interesting. To behold the Chief Executive Magistrate of a powerful people charged with the betrayal of his trust, and arraigned for high crimes and misdemeanors, is always a most interesting spectacle. When the charges against such public servant accuse him of an attempt to betray the high trust confided in him and usurp the power of a whole people, that he may become their ruler, it is intensely interesting to millions of men, and should be discussed with a calm determination, which nothing can divert and nothing can reduce to mockery. Such is the condition of this great Republic, as looked upon by an astonished and wondering world. The offices of impeachment in England and America are very different from each other, in the uses made of them for the punishment of offenses; and he will greatly err who undertakes to make out an analogy between them, either in the mode of trial or the final result. In England, the highest crimes may be tried before the High Court of Impeachment, and the severests punishments, even to imprisonment, fine, and death, may be inflicted. When our Constitution was framed, all these personal punishments were excluded from the judgment, and the defendant was to be dealt with just so far as the public safety required, and no further. Hence, it was made to apply simply to political offenses—to persons holding political positions, either by appointment or election by the people. Thus it is apparent that no crime containing malignant or indictable offenses, higher than misdemeanors, was necessary either to be alleged or proved. If the respondent was shown to be abusing his official trust to the injury of the people for whom he was discharging public duties, and persevered in such abuse to the injury of his constituents, the true mode of dealing with him was to impeach him for crimes or misdemeanors (and only the latter is necessary), and thus remove him from the office which he was abusing. Nor does it make a particle of difference whether such abuse arose from malignity, from unwarranted negligence, or from depravity, so repeated as to make his continuance in office injurious to the people and dangerous to the public welfare. The punishment which the law under our Constitution authorizes to be inflicted fully demonstrates this argument: That punishment upon conviction extends only to removal from office; and, if the crime or misdemeanor charged be one of a deep and wicked dye, the culprit is allowed to run at large, unless he should be pursued by a new prosecution in the ordinary courts. What does it matter, then, what the motive of the respondent might be in his repeated acts of malfeasance in office? Mere mistake in intention, if so persevered in after proper warning as to bring mischief upon the community, is quite sufficient to warrant the removal of the officer from the place where he is working mischief by his continuance in power. The only question to be considered is: Is the respondent violating the law? His perseverance in such a violation, although it shows a perverseness, is not absolutely necessary to his conviction. The great object is the removal from office and the arrest of the public injuries which he is inflicting upon those with whose interests he is intrusted. The single charge which I had the honor to suggest I am expected to maintain. that duty is a light one, easily performed, and which, I apprehend, it will be found impossible for the respondent to answer or evade. When Andrew Johnson took upon himself the duties of his high office he swore to obey the Constitution and take care that the laws be faithfully executed. That, indeed, is and has always been the chief duty of the President of the United States. The duties of legislation and adjudicating the laws of this country fall in no way to his lot. To obey the commands of the sovereign power of the nation, and to see that others should obey them, was his whole duty—a duty which he could not escape; and any attempt to do so would be in direct violation of his official oath, in other words, a *misprision of perjury*. I accuse him, in the name of the House of Representatives, of having perpetrated that foul offense against the laws and interests of his country. On the 2d of March, 1867, Congress passed a law over the veto of the President, entitled "An act to regulate the tenure of certain civil offices," the first section of which is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person holding any civil office to which he has been appointed by and with the advice and consent of the Senate, and every person who may hereafter be appointed to any such office and shall become duly qualified to act therein, is and shall be entitled to hold such office until a successor shall have been in like manner appointed and duly qualified, except as herein otherwise provided; *Provided*, That the Secretaries of State, of the Treasury, of War, of the Navy, and of the Interior, the Postmaster-General, and the Attorney-General, shall hold their offices respectively for and during the term of the President by whom they may have been appointed, and for one month thereafter, subject to removal by and with the advice and consent of the Senate.

The second section provides that when the Senate is not in session, if the President shall deem the officer guilty of acts which require his removal or suspension, he may be suspended until the next meeting of the Senate; and that within twenty days after the meeting of the Senate the reasons for such suspension shall be reported to that body; and if the Senate shall deem such reasons sufficient for such suspension or removal, the officer shall be considered removed from his office, but if the Senate shall not deem the reasons sufficient for such suspension or removal, the officer shall forthwith resume the functions of his office, and the person appointed in his place shall cease to discharge such duties. On the 12th day of August, 1867, the Senate then not being in session, the President suspended Edwin M. Stanton, Secretary of the Department of War, and appointed U. S. Grant, General, Secretary of War *ad interim*. On the 12th day of December, 1867, the Senate being then in session, he reported, according to the requirements of the act, the causes of such suspension to the Senate, which duly took the same into consideration. Before the Senate had concluded its examination of the question of the sufficiency of such reasons, he attempted to enter into arrangements by which he might obstruct the due operation of the law, and thus prevent Edwin M. Stanton from forthwith resuming the functions of his office as Secretary of War, according to the provisions of the act, even if the Senate should decide in his favor. And in furtherance of said attempt, on the 21st of February, 1868, he appointed one Lorenzo Thomas, by letter of authority or commission, Secretary of War *ad interim*, without the advice and consent of the Senate, although the same was then in session, and ordered him (the said Thomas) to take possession of the Department of War and the public property appertaining thereto, and to discharge the duties thereof. We charge that, in defiance of frequent warnings, he has since repeatedly attempted to carry those orders into execution, and to prevent Edwin M. Stanton from executing the laws appertaining to the Department of War, and from discharging the duties of the office. The very able gentleman who argued this case for the respondent has contended that Mr. Stanton's case is not within the provisions of the act "regulating the tenure of certain civil offices," and that therefore the President cannot be convicted of violating that act. His argument in demonstrating that position was not, I think, quite equal to his sagacity in discovering where the great strength of the prosecution was lodged. He contended that the proviso which embraced the Secretary of War did not include Mr. Stanton, because he was not appointed by the President in whose term the acts charged as misdemeanors were perpetrated; and in order to show that, he contended that the *term* of office mentioned during which he was entitled to hold, meant the time during which the President who appointed him actually did hold, whether dead or alive; that Mr. Lincoln, who appointed Mr. Stanton, and under whose commission he was holding indefinitely, being dead, his *term* of office referred to had expired, and that Mr. Johnson was not holding during a part of that *term*. That depends upon the Constitution, and the laws made under it. By the Constitution, the whole time from the adoption of the Government was intended to be divided into equal Presidential periods, and the word "*term*" was technically used to designate the time of each. The first section of the second article of the Constitution provides "that the executive power shall be vested in a President of the United States of America. He shall hold his office during the *term* of four years, and together with the Vice-President, chosen for the same *term*, be elected as follows," &c. Then it provides that "in case of removal from office, or of his death, resignation, or inability to discharge the duties of said office, the same shall devolve on the Vice-President, and Congress may by law provide for the case of removal, death, resignation, or inability both of the President and Vice-President, designating what officer shall then act as President, and such officer shall act accordingly until the disability be removed or a President shall be elected." The learned counsel contends that the Vice-President who accidentally succeeds to the duties of President, is serving out a new Presidential term of his own, and that, unless Mr. Stanton was appointed by him, he is not within the provisions of the act. It happened that Mr. Stanton was appointed by Mr. Lincoln in 1862 for an indefinite period of time, and was still serving as *his* appointee, by and with the advice and consent of the Senate. Mr. Johnson never appointed him, and, unless he held a valid commission by virtue of Mr. Lincoln's appointment, he was acting for three years, during which time he expended billions of money, and raised hundreds of thousands of men, without any commission at all. To permit this to be done without any valid commission would have been a misdemeanor in itself. But if he held a valid commission, whose commission was it? Not Andrew Johnson's. Then, in whose term was he serving, for he must have been in somebody's term? Even if it was in Johnson's term, he would hold four years, unless sooner removed, for there is no term spoken of in the Constitution of a shorter period for a Presidential term than for four years. But it makes no difference in the operation of the law whether he was holding in Lincoln's or Johnson's term. Was it not in Mr. Lincoln's term? Lincoln had been elected and reëlected, the second term to commence in 1865, and the Constitution expressly declared that that term should be four years. By virtue of his previous commission, and the uniform custom of the country, Mr. Stanton continued to hold during the term of Mr. Lincoln, unless sooner removed. Now, does any one pretend to say that from the 4th of March, 1865, a new Presidential term does not commence? For it will be seen upon close examination that the word "*term*" alone marks the time of the Presidential existence, so that it may divide the different periods of office by a well recognised rule. Instead of saying that the Vice-President shall become President upon his death, the Constitution says, "in case of the removal of the President from office, or of his death, resignation, or inability to discharge the *powers and duties* of the said office, the same shall devolve on the Vice-President." What is to devolve on the Vice-President? Not the Presidential commission held by his predecessor, but the "duties" which were incumbent on him. If he were to take Mr. Lincoln's term he would serve for four years, for term is the only limitation to that office defined in the Constitution, as I have said before. But the learned counsel has contended that the word "term" of the Presidential office means the death of the President. Then it would have been better expressed by saying that the President shall hold his office during the *term* between two assassinations, and then the assassination of the President would mark the period of the operation of this law. If, then, Mr. Johnson was serving out one of Mr. Lincoln's terms, there seems to be no argument against including Mr. Stanton within the meaning of the law. He was so included by the President in his notice of removal, in his reasons therefor given to the Senate, and in his notification to the Secretary of the Treasury; and it is too late, when he is caught violating the very law under which he professes to act, to turn round and deny that that law affects the case. The gentleman treats lightly the question of estoppel; and yet really nothing is more powerful, for it is an argument by the party himself against himself, and, although not pleadable in the same way, is just as potential in a case *in pais* as when pleaded in a case of *record*. But there is a still more conclusive answer. The first section provides that *every* person holding civil office, who has been appointed with the advice and consent of the Senate, and every person that hereafter shall be appointed to any such office, shall be entitled to hold such office until a successor shall have been in like manner appointed and duly qualified, except as herein otherwise provided. Then comes the proviso which the defendant's counsel say does not embrace Mr. Stanton, because he was not appointed by the President in whose term he was removed. *If he was not embraced in the proviso, then he was nowhere especially provided for, and was consequently embraced in the first clause of the first section, which declares that every person holding any civil office not otherwise provided for comes within the provisions of this act.* The respondent, in violation of this law, appointed Gen. Thomas to office, whereby, according to the express terms of the act, he was guilty of a high misdemeanor. But whatever may have been his views with regard to the Tenure-of-Office act, he knew it was a law, and so recorded upon the statutes. I disclaim all necessity, in a trial of impeachment, to prove the wicked or unlawful intention of the respondent, and it is unwise ever to aver it. In impeachments, more than in indictments, the averring of the fact charged carries with it all that it is necessary to say about intent. *In indictments you charge that the defendant, "instigated by the devil," and so on; and you might as well call on the prosecution to prove the presence, shape, and color of his majesty, as to call upon the Managers in impeachment to prove intention.* I go further than some, and contend that no corrupt or wicked motive need instigate the acts for which impeachment is brought. It is enough that they were official violations of law. The counsel have placed great stress upon the necessity of proving that they were willfully done. If by that he means that they were voluntarily done, I agree with him. A mere accidental trespass would not be sufficient to convict. But that whic his *voluntarily* done is *willfully* done, according to every honest definition; and whatever malfeasance is willingly perpetrated by an office-holder is a misdemeanor in office, whatever he may allege was his intention. The President justifies himself by asserting that all previous Presidents had exercised the same right of removing officers, for cause to be judged of by the President alone. Had there been no law to prohibit it when Mr. Stanton was removed, the cases would have been parallel, and the one might be adduced as an argument in favor of the other. But, since the action of any of the Presidents to which he refers, a law had been passed by Congress, after a stubborn controversy with the Executive, denying that right, and prohibiting it in future, and imposing a severe penalty upon any executive officer who should exercise it. And that, too, after the President himself made issue on its constitutionality and been defeated. No pretext, therefore, any longer existed that such right was vested in the President by virtue of his office. Hence the attempt to shield himself under such practice is a most lame evasion of the question at issue. Did he "take care that this law should be faithfully" executed? He answers that acts, that would have violated the law had it existed, were practiced by his predecessors. How does that justify his own malfeasance? The President says that he removed Mr. Stanton simply to test the constitutionality of the Tenure-of-Office law by a judicial decision. He has already seen it tested and decided by the votes, twice given, of two-thirds of the Senators and of the House of Representatives. It stood as a law upon the statute books. No case had arisen under that law, or is referred to by the President, which required any judicial interposition. If there had been, or should be, the courts were open to any one who felt aggrieved by the action of Mr. Stanton. But instead of enforcing that law, he takes advantage of the name and the funds of the United States to resist it, and to induce others to resist it. Instead of attempting, as the Executive of the United States, to see that that law was faithfully executed, he took great pains and perpetrated the acts alleged in this article, not only to resist it himself, but to seduce others to do the same. He sought to induce the General-in-Chief of the army to aid him in an open, avowed obstruction of the law, as it stood unrepealed upon the statute book. He could find no one to unite with him in perpetrating such an act, until he sunk down upon the unfortunate individual bearing the title of Adjutant-General of the Army. Is this taking care that the laws shall be faithfully executed? Is this attempting to carry them into effect, by upholding their validity, according to his oath? On the other hand, was it not a high and bold attempt to obstruct the laws and take care that they should not be executed? He must not excuse himself by saying that he had doubts of its constitutionality, and wished to test it. What right had he to be hunting up excuses for others, as well as himself, to violate this law? Is not this confession a misdemeanor in itself? The President asserts that he did not remove Stanton under the Tenure-of-Office law. This is a direct contradiction of his own letter to the Secretary of the Treasury, in which, as he was bound by law, he communicated to that officer the fact of the removal. This portion of the answer may, therefore, be considered as disposed of by the non-existence of the fact, as well as by his subsequent report to the Senate. The following is the letter just alluded to, dated August 14, 1867:

SIR: In compliance with the requirements of the act entitled "An act to regulate the tenure of certain civil offices," you are hereby notified that on the 12th inst. the Hon. Edwin M. Stanton was suspended from his office as Secretary of War, and Gen. U. S. Grant authorized and empowered to act as Secretary *ad interim*.
The Hon. *Secretary of the Treasury*.

Wretched man! a direct contradiction of his solemn answer! How necessary that a man should have a good conscience or a good memory! Both would not be out of place. How lovely to contemplate what was so assiduously inculcated by a celebrated Pagan into the mind of his son: "Virtue is truth, and truth is virtue." And still more, virtue of every kind charms us, yet that virtue is strongest which is affected by justice and generosity. Good deeds will never be done, wise acts will never be executed, except by the virtuous and the conscientious. May the people of this Republic remember this good old doctrine when they next meet to select their rulers, and may they select only the brave and the virtuous. Has it been proved, as charged in this article, that Andrew Johnson in vacation suspended from office Edwin M. Stanton, who had been duly appointed and was then executing the duties of Secretary of the Department of War, without the advice and consent of the Senate; did he report the reasons for such suspension to the Senate within twenty days from the meeting of the Senate; and did the Senate proceed to consider the sufficiency of such reasons? Did the Senate declare such reasons insufficient, whereby the said Edwin M. Stanton became authorized to forthwith resume and exercise the functions of Secretary of War, and displace the Secretary *ad interim*, whose duties were then to cease and terminate; did the said Andrew Johnson, in his official character of President of the United States, attempt to obstruct the return of the said Edwin M. Stanton and his resumption forthwith of the functions of his office as Secretary of the Department of War; and has he continued to attempt to prevent the discharge of the duties of said office by said Edwin M. Stanton, Secretary of War, notwithstanding the Senate decided in his favor? If he has, then the acts in violation of law, charged in this article, are full and complete.

The proof lies in a very narrow compass, and depends upon the credibility of one or two witnesses, who, upon this point, corroborate each other's evidence. Andrew Johnson, in his letter of the 31st of January, 1868, not only declared that such was his intention, but reproached U. S. Grant, General, in the following language:

"You had found in our first conference "that the President was desirous of keeping Mr. Stanton out of office *whether sustained in the suspension or not*." You knew what reasons had induced the President to ask from you a promise; you also knew that in case your views of duty did not accord with his own convictions, it was his purpose to fill your place by another appointment. Even ignoring the existence of a positive understanding between us, these conclusions were plainly deducible from our various conversations. It is certain, however, that under these circumstances you did not offer to return the place to my possession, but, according to your own statement, placed yourself in a position where, could I have anticipated your action, I would have been compelled to ask of you as I was compelled to ask of your predecessor in the War Department, a letter of resignation, or else to resort to the more disagreeable expedient of suspending you by a successor."

He thus distinctly alleges that the General had a full knowledge that such was his deliberate intention. Hard words and injurious epithets can do nothing to corroborate or to injure the character of a witness; but if Andrew Johnson be not wholly destitute of truth and a shameless falsifier, then this article and all its charges are clearly made out by his own evidence. Whatever the respondent may say of the reply of U. S. Grant, General, only goes to confirm the fact of the President's lawless attempt to obstruct the execution of the act specified in the article. If Gen. Grant's recollection of his conversation with the President is correct, then it goes affirmatively to prove the same fact stated by the President, although it shows that the President persevered in his course of determined obstruction of the law, while the General refused to aid in its consummation. No difference as to the main fact of the attempt to violate and prevent the execution of the law exists in either statement; both compel the conviction of the respondent, unless he should escape through other means than the facts proving the article. He cannot hope to escape by asking this high court to declare the "law for regulating the tenure of certain civil offices" unconstitutional and void; for it so happens, to the hopeless misfortune of the respondent, that almost every member of this high tribunal has more than once—twice, perhaps three times—declared, upon his official oath, that law constitutional and valid. The unhappy man is in this condition: He has declared himself determined to obstruct that act; he has, by two several letters of authority, ordered Lorenzo Thomas to violate that law; and he has issued commissions, during the session of the Senate without the advice and consent of the Senate, in violation of law, to said Thomas. He must therefore either deny his own solemn declaration and falsify the testimony of Gen. Grant and Lorenzo Thomas, or expect that verdict whose least punishment is removal from office. But the President denies in his answer to the first and the eleventh articles (which he intends as a joint answer to the two charges) that he had attempted to contrive means to prevent the due execution of the law regulating the tenure of certain civil offices, or had violated his oath "to take care that the laws be faithfully executed." Yet while he denies such attempt to defeat the execution of the laws, in his letter of the 31st of January, 1868, he asserts, and reproaches Gen. Grant by the assertion, that the General knew that his object was to prevent Edwin M. Stanton from forthwith resuming the functions of his office, notwithstanding that the Senate might decide in his favor; and that the President and U. S. Grant, General, in their angry correspondence of the date heretofore referred to, made an issue of veracity—the President asserting that the General had promised to aid him in defeating the execution of the laws by preventing the immediate resumption of the functions of Secretary of War by Edwin M. Stanton, and that the General violated his promise; and U. S. Grant, General, denying ever having finally made such promise, although he agrees with the President that the President did attempt to induce him to make such promise and to enter into such an arrangement. Now, whichever of these gentlemen may have lost his memory, and found in lieu of the truth the vision which issues from the Ivory Gate—though who can hesitate to choose between the words of a gallant soldier and the pettifogging of a political trickster—is wholly immaterial, so far as the charge against the President is concerned. That charge is, that the President did attempt to prevent the due execution of the Tenure-of-Office law by entangling the General in the arrangement; and unless both the President and the General have lost their memory and mistaken the truth with regard to the promises with each other, then this charge is made out. In short, if either of these gentlemen has correctly stated these facts of attempting the obstruction of the law, the President has been guilty of violating the law, and of *misprision of official perjury*. But, again, the President alleges his right to violate the act regulating the tenure of certain civil offices, because he says the same was inoperative and void, as being in violation of the Constitution of the United States. Does it lie in his mouth to interpose this plea? He had acted under that law, and issued letters of authority, both for the long and short term, to several persons under it, and it would hardly lie in his mouth after that to deny its validity, unless he confessed himself guilty of law-breaking by issuing such commissions. Let us here look at Andrew Johnson accepting the oath "to take care that the laws be faithfully executed." On the 2d of March, 1867, he returned to the Senate the "Tenure-of-Office bill," where it originated and had passed by a majority of more than two-thirds—with reasons elaborately given why it should not pass finally. Among these was the allegation of its unconstitutionality. It passed by a vote of 35 Yeas to 11 Nays. In the House of Representatives it passed by more than a two-thirds majority; and when the vote was announced, the Speaker, as was his custom, proclaimed the vote, and declared in the language of the Constitution, "that two-thirds of each House having voted for it, notwithstanding the objections of the President, it has become a law." I am supposing that Andrew Johnson was at this moment waiting to take the oath of office as President of the United States, "that he would obey the Constitution and take care that the laws be faithfully executed." Having been sworn on the Holy Evangels to obey the Constitution, and being about to depart, he turns to the person administering the oath, and says, "Stop, I have a further oath. I do solemnly swear that I will not allow the act entitled 'An act regulating the tenure of certain civil offices,' just passed by Congress over the Presidential veto to be executed; but I will prevent its execution by virtue of my own constitutional power." How shocked Congress would have been—what would the country have said to a scene equaled only by the unparalleled action of this same official, when sworn into office on that fatal fifth day of March, which made him the successor of Abraham Lincoln! Certainly he would not have been permitted to be inaugurated as Vice-President or President. Yet such in effect has been his conduct, if not under oath, at least with less excuse, since the fatal day which inflicted him upon the people of the United States. Can the President hope to escape if the fact of his violating that law can be proved or confessed by him, as has been done? Can he expect a sufficient number of his tryers to pronounce that law unconstitutional and void—those same tryers having passed upon its validity upon several occasions? The act was originally passed by a vote of 29 Yeas to 9 Nays. Those who voted in the affirmative were Messrs. Anthony, Brown, Cattell, Chandler, Conness, Cragin, Edmunds, Fogg, Foster, Frelinghuysen, Grimes, Harris, Henderson, Howard, Howe, Lane, Morgan, Morrill, Poland, Ramsey, Sherman, Sprague, Sumner, Van Winkle, Wade, Willey, Williams, Wilson, Yates—29. Subsequently the House of Representatives passed the bill with amendments, which the Senate disagreed to, and the bill was afterward referred to a Committee of Conference of the two Houses, whose agreement was reported to the Senate by the Managers and was adopted by a vote of 22 Yeas to 10 Nays. Those who voted in the affirmative were Messrs. Anthony, Brown, Chandler, Conness, Fogg, Fowler, Henderson, Howard, Howe, Lane, Morgan, Morrill, Ramsey, Ross, Sherman, Stewart, Sumner, Trumbull, Wade, Williams, Wilson, and Yates—22. After the veto, upon reconsideration of the bill in the Senate, and after all the arguments against its validity were spread before that body, it passed by a vote of 35 Yeas to 11 Nays. It was voted for by the following Senators: Messrs. Anthony, Cattell, Chandler, Conness, Cragin, Edmunds, Fessenden, Fogg, Foster, Fowler, Frelinghuysen, Grimes, Harris, Henderson, Howard, Kirkwood, Lane, Morrill, Nye, Poland, Pomeroy, Ramsey, Ross, Sherman, Sprague, Stewart, Sumner, Trumbull, Van Winkle, Wade, Willey, Williams, Wilson, Yates—35. The President contends that by virtue of the Constitution he had the right to remove heads of departments, and cites a large number of cases where his predecessor had done so. It must be observed that all those cases were before the passage of the Tenure of-Office act, March 2, 1867. Will the respondent say how the having done an act when there was no law to forbid it justifies the repetition of the same act after a law has been passed expressly prohibiting the same? It is not the suspension or removal of Mr. Stanton that is complained of, but the manner of the suspension. If the President thought he had good reasons for suspending or removing Mr. Stanton, and had done so, sending those reasons to the Senate, and then obeyed the decision of the Senate in their finding, there would have been no complaint; but, instead of that, he suspends him in direct defiance of the Tenure-of-Office law, and then enters into an arrangement, or attempts to do so, in which he thought he had succeeded, to prevent the due execution of the law after the decision of the Senate. And when the Senate ordered him to restore Mr. Stanton, he makes a second removal by virtue of what he calls the power vested in him by the Constitution. The action of the Senate on the message of the President, communicating his reasons for the suspension of E. M. Stanton, Secretary of War, under the act entitled an act to regulate the tenure of certain civil offices, was as follows:

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES, January 13, 1868.

Resolved, That, having considered the evidence and reasons given by the President in his report of December 12, 1867, for the suspension from the office of Secretary of War of Edwin M. Stanton, the Senate do not concur in such suspension.

And the same was duly certified to the President; in the face of which he, with an impudence and brazen determination to usurp the powers of the Senate, again removed Edwin M. Stanton, and appointed Lorenzo Thomas Secretary *ad interim* in his stead. The Senate, with calm manliness, rebuked the usurper by the following resolution:

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES, February 21, 1868.

Whereas, The Senate has received and considered the communication of the President stating that he had removed Edwin M. Stanton, Secretary of War, and had designated the Adjutant-General of the Army to act as Secretary of War *ad interim*; therefore,

Resolved, By the Senate of the United States, That, under the Constitution and laws of the United States, the President has no power to remove the Secretary of War, and to designate any other officer to perform the duties of that office *ad interim*.

Yet he continued him in office. And now this offspring of assassination turns upon the Senate who have thus rebuked him in a constitutional manner, and bids them defiance. How can he escape the just vengeance of the law? Wretched man, standing at bay, surrounded by a cordon of living men, each with the ax of an executioner uplifted for his just punishment. Every Senator now trying him, except such as had already adopted his policy, voted for this same resolution, pronouncing his solemn doom. Will any one of them vote for his acquittal on the ground of its unconstitutionality? I know that Senators would venture to do any necessary act if indorsed by an honest conscience and an enlightened public opinion; but neither for the sake of the President, nor of any one else, would one of them suffer himself to be tortured on the gibbet of everlasting obloquy. How long and dark would be track of infamy which must mark his name and that of his posterity! Nothing is, therefore, more certain than that it requires no gift of prophecy to predict the fate of this unhappy victim. I have now discussed but one of the numerous articles, all of which I believe to be fully sustained, and few of the almost innumerable offenses charged to this wayward, unhappy official. I have alluded to two or three others which I could have wished to have had time to present and discuss, not for the sake of punishment, but for the benefit of the country. One of these was an article charging the President with usurping the legislative power of the nation, and attempting still his usurpations. With regard to usurpation, one single word will explain my meaning. A civil war of gigantic proportions, covering sufficient territory to constitute many States and nations, broke out, and embraced more than ten millions of men, who formed an independent government, called the Confederate States of America. They rose to the dignity of an independent belligerent, and were so acknowledged by all civilized nations, as well as by ourselves. After expensive and bloody strife, we conquered them, and they submitted to our arms. By the law of nations, well understood and undisputed, the conquerors in this unjust war had the right to deal with the vanquished as to them might seem good, subject only to the laws of humanity. They had a right to confiscate their property to the extent of indemnifying themselves and their citizens; to annex them to the victorious nation and pass just such laws for their government as they might think proper. This doctrine is as old as Grotius, and as fresh as the Dorr rebellion. Neither the President nor the judiciary had any right to interfere, to dictate any terms, or to aid in reconstruction, further than they were directed by the sovereign power. That sovereign power in this Republic is the Congress of the United States. Whoever, besides Congress, undertakes to create new States, or to rebuild old ones, and fix the condition of their citizenship and union, usurps powers which do not belong to him, and is dangerous or not dangerous, according to the extent of his power and his pretensions. Andrew Johnson did usurp the legislative power of the nation by building new States, and reconstructing, as far as in him lay, this empire. He directed the defunct States to come forth and live by virtue of his breathing into their nostrils the breath of life. He directed them what constitutions to form, and fixed the qualifications of electors and of office-holders. He directed them to send forward members to each branch of Congress, and to aid him in representing the nation. When Congress passed a law declaring all these doings unconstitutional, and fixed a mode for the admission of this new territory into the nation, he proclaimed it unconstitutional, and advised the people not to submit to it, nor to obey the commands of Congress. I have not time to enumerate the particular acts which constitute his high-handed usurpation. Suffice it to say, that he seized all the powers of the Government within these States, and, had he been permitted, would have become their absolute ruler. This he persevered in attempting, notwithstanding Congress declared, more than once, all the governments which he thus created to be void, and of none effect. But I promised to be brief, and must abide by the promise, although I should like the judgment of the Senate upon this, to me, seeming vital phase and real purpose of all his misdemeanors. To me, this seems a sublime spectacle. A nation, not free, but as nearly approaching it as human institutions will permit of, consisting of thirty millions of people, had fallen into conflict, which among other people always ends in anarchy or despotism, and had laid down their arms, the mutineers submitting to the conquerors. The laws were about to regain their accustomed sway, and again to govern the nation by the punishment of treason and the reward of virtue. Her old institutions were about to be reinstated so far as they were applicable, according to the judgment of the conquerors. Then one of their inferior servants, instigated by unholy ambition, sought to seize a portion of the territory according to the fashion of neighboring anarchies, and to convert a land of freedom into a land of slaves. This people spurned the traitors, and have put the chief of them upon his trial, and demand judgment upon his misconduct. He will be condemned, and his sentence inflicted without turmoil, tumult, or bloodshed, and the nation will continue its accustomed course of freedom and prosperity, without the shedding any further of human blood, and with a milder punishment than the world has been accustomed to see, or perhaps than ought now to be inflicted. Now, even if the pretext of the President were true and not a mere subterfuge to justify the chief act of violation with which he stands charged, still that would be such an abuse of the patronage of the Government as would demand his impeachment for a high misdemeanor. Let us again for a moment examine into some of the circumstances of that act. Mr. Stanton was appointed Secretary of War by Mr. Lincoln in 1862, and continued to hold under Mr. Johnson, which, by all usage, is considered a reappointment. Was he a faithful officer, or was he removed for corrupt purposes? After the death of Mr. Lincoln, Andrew Johnson had changed his whole code of politics and policy, and, instead of obeying the will of those who put him into power, he determined to create a party for himself, to carry out his own ambitious purposes. For every honest purpose of the Government, and for every honest purpose for which Mr. Stanton was appointed by Mr. Lincoln, where could a better man be found? None ever organized an army of a million of men and provided for its subsistance and efficient action more rapidly than Mr. Stanton and his predecessor. It might, with more propriety, be said of this officer than of the celebrated Frenchman, that he "organized victory." He raised, and by his requisitions distributed, more than a billion of dollars annually, without ever having been charged with or suspected of the malappropriation of a single dollar; and when victory crowned his efforts, he disbanded that immense army as quietly and peacefully as if it had been a summer parade. He would not, I suppose, adopt the personal views of the President; and for this he was suspended until restored by the emphatic verdict of the Senate. Now, if we are right in our narrative of the conduct of these parties and the motives of the President, the very effort at removal was a high-handed usurpation as well as a corrupt misdemeanor, for which of itself he ought to be impeached and thrown from the place he was abusing. But he says that he did not remove Mr. Stanton for the purpose of defeating the Tenure-of-Office law. Then he forgot the truth in his controversy with the General of the Army. And because the General did not aid him, and finally admit that he had agreed to aid him in resisting that law, he railed upon him like a very drab. The counsel for the respondent allege that no removal of Mr Stanton ever took place, and that therefore the sixth section of the act was not violated. They admit that there was an order of removal and a recision of his commission; but, as he did not obey it, say it was no removal. That suggests the old saying that it used to be thought that "when the brains were out the man was dead." That idea is proved by learned counsel to be absolutely fallacious. The brain of Mr. Stanton's commission was taken out by the order of removal—the recision of his commission—and his head was absolutely cut off by that gallant soldier, Gen. Thomas, the night after the masquerade. And yet, according to the learned and delicate counsel, until the mortal remains—everything which could putrefy—was shoveled out and hauled into the muck-yard, there was no removal. But it is said that this took place merely as an experiment to make a judicial case. Now, suppose there is anybody who, with the facts before him, can believe that this was not an afterthought, let us see if that palliates the offense. The President is sworn to take care that the laws be faithfully executed. In what part of the Constitution or laws does he find it to be his duty to search out for defective laws that stand recorded upon the statutes, in order that he may advise their infraction? Who was aggrieved by the Tenure-of-Office bill that he was authorized to use the name and the funds of the Government to relieve? Will he be so good as to tell us by what authority he became the obstructor of an unrepealed law instead of its executor, especially a law whose constitutionality he had twice tested? If there were nothing else than his own statement, he deserves the contempt of the American people, and the punishment of its highest tribunal. If he were not willing to execute the laws passed by the American Congress, and unrepealed, let him resign the office which was thrown upon him by a horrible convulsion, and retire to his village obscurity. Let him not be so swollen by pride and arrogance, which sprang from the deep misfortune of his country, as to attempt an entire revolution of its internal machinery, and the disgrace of the trusted servants of his lamented predecessor. The gentlemen has spoken of great purity of the President in his transaction with Black and others. I admit that is a fair subject from which to infer general purity of conduct. I will examine that a little. It was held by Socrates and Plato to be among the most atrocious offenses to corrupt the youth, because that tended to overthrow the solid forms of government, and built up anarchy and despotism in their place. If it were so in an oligarchy, how much more would it be so in a government where the laws control, and where the laws should be pure if that government is expected to be conducted with purity, and to survive the temporary shocks of tyrants. If it is proved or known that Andrew Johnson attempted at any time to corrupt the legal voters of the United States, so as to change them from their own true opinions to those which he himself had adopted, there are few who pretend that he was not guilty of a high misdemeanor. We need hardly call witnesses to prove a fact which everybody knows and nobody will deny. Does the sun shine at mid-day? It would hardly be thought necessary to answer that question by proof, and yet there is just as much necessity for it as to prove that Andrew Johnson had changed his whole principles and policy, and entered into the most dangerous and damaging contracts with aspirants for office to induce them to aid him in changing the principles of those who sought office. Who does not believe that the patronage was put into the hands of Doolittle, Cowan, and that tribe of men for distribution on precisely such terms and conditions as they choose to make? Show me a more shameless perversion of patronage in any country, or in any government, however corrupt and despotic, and I will admit that Andrew Johnson is as pure as the icicles that hang on Diana's temple. He had before that appeared with Abraham Lincoln in the Senate Chamber to take the oath of office; they took it at the same time and in the same manner, having some small variation in the manner of the Vice-President; but his friends hoped that such variations had not obliterated or obscured his consciousness of the oath that he had taken, and when he came to reflect he would still abide by all he had sworn to observe, notwithstanding his then condition. Unfortunately the President was taken away, and a temptation for the higher aspirations of Mr. Johnson. Instead of being content with positions the people had given him, and which he had gladly accepted, he sought to become thereafter as well as then the Chief Executive of the nation. This he knew could only be done by changing principles and creating a new party to sustain him. After some little hesitation, he resolved upon that course and perpetrated a betrayal of the party that had elected him, and the principles he professed. Baser than the betrayal by Judas Iscariot, who betrayed only a single individual, Johnson sacrificed a whole nation and the holiest of principles in order to build up a party upon which he was to rely, it became necessary for him to proclaim entirely new principles and a new policy, and to bring about him an entirely new set of politicians, as loose men enough already in the Republican party, could not be found to carry him into power. Corruption, therefore, became a necessity; that corruption was to be wrought by perverting the means, which the Republicans had placed in his hands, and which he had sworn solemnly to execute, according to their principles. When he found that by an appeal to those principles he could rally but few followers, he did not hesitate to cast them up and seek recruits in the camp of the enemy. Instead of enforcing the penalties of the law, and rendering treason odious, as he had so loudly proclaimed, while Vice-President, he proceeded to pardon all the large influential traitors, and to restore to the conquered belligerents the property which had been confiscated by act of Congress of July, 1862. He thus restored confiscated land and abandoned estates, sufficient, had it all been honestly converted into the Treasury, to have paid the National debt and all the damage done to loyal men by Rebel raiders and by Rebel confiscation. He set deliberately about corrupting the whole mass of those who aspired to office. Where he found an office-holder too virtuous to follow his treason, he offered his place to another whose conscience was less scrupulous, or whose ambition was greater. The removals which he made were of Republicans, who had been placed in office by Abraham Lincoln upon Republican recommendations, because they held the same principles which he and Johnson had professed. He did not hesitate, through his agents, to bargain for their support as condition of their appointment or retention. He found a few men of respectability who had been indorsed by respectable States—such as Wisconsin and Pennsylvania. Look at the trusted agents of Pennsylvania and Wisconsin who contracted to accept the office of recruiting sergeants for his shabby army to purchase the position of a commander of this band of pardoned traitors and corrupted renegades. They consented to lay down the "stars and stripes" and clothe themselves in the faded uniform of gray. The gentleman (Mr. Groesbeck), in his peroration on Saturday, implored the sympathy of this Senate with all the elegance and pathos of a Roman senator pleading for virtue; and it is to be feared that his grace and eloquence turned the attention of the Senate upon the orator rather than upon the accused. Had he been pleading for innocence his great powers would have been well executed; had he been arguing with equal eloquence before such a Roman Senate for such a delinquent, and Cato, the Censor, had been one of the judges, his client would have soon found himself in the stocks in the middle of the forum, instead of receiving the sympathies of a virtuous and patriotic audience.

SPEECH BY MANAGER WILLIAMS.

Mr. WILLIAMS of Pennsylvania, another of the Managers, followed Mr. Stevens, reading a manuscript:

MR. PRESIDENT AND SENATORS OF THE UNITED STATES: Not unused to the conflict of the forum, I appear in your presence to-day in obedience to the command of the Representatives of the American people, under a sense of responsibility which I have never felt before. The august tribunal whose judges are the elect of mighty provinces, the presence at your bar of the Representatives of a domain that rivals in extent the dominions of the Cæsars, and of a civilization that transcends any that the world has ever seen, to demand judgment upon the high delinquent whom they have arraigned in the name of the American people for high crimes and misdemeanors against the State, the dignity of the delinquent himself, a king in everything but the pomp, parentage, and the heritage of royalty; the crowded galleries, and more than that, that greater world outside, which stands on tiptoe as it strains its ear to catch from the electric messenger the first tidings of a verdict, which is either to send a thrill of joy throughout an afflicted land, or to rack it over with the throes of anarchy and the convulsions of despair—all remind me of the colossal proportions of the issue you are assembled to try. I cannot but remember, too, that the scene before me is without an example or a parallel in the human history. Kings, it is true, have been uncrowned, and royal heads have fallen upon the scaffold; but in two instances only have the formalities of law been invoked to give a coloring of order and justice to the bloody tragedy. It is only in this free land that a Constitutional Tribune has been charged, for the first time, with the sublime task of vindicating an outraged law against the highest of its ministers, and passing judgment upon the question whether the ruler of a nation shall be stripped, under the law, and without shock or violence, of the power which he has abused. This great occasion was not sought by us. The world will bear the Representatives of the People witness that they have not come here for light and transient causes, but for the reason only that the issue has been forced upon them by a long series of bold assumptions of powers on the part of the Executive, following each other with almost the blazing and blinding continuity of the lightning of tropics, and culminating at last in a mortal challenge, which, in the defense of their constitutional power as a branch of the American Congress, and as faithful sentinels over the liberty of the people, it was impossible for them to decline with the first open defiance of the Executive, while they were left, of course, with no alternative but to abdicate their rule or to vindicate their right to make the law and see that it was obeyed. To this imperious necessity the people, in whose name they speak, a branch of that race whose quick sensibility to public danger has ever kept a sleepless vigil over its liberties, have yielded at last with a reluctance which nothing but the weariness of civil strife, the natural longing for repose, the apprehensive sense that it was better, perhaps, to bear the ills we had, than to fly to others that we know not of. The reflection that the Administration must have an end, and, above all, perhaps the delusive hope that its law-defying head himself would ultimately submit to a necessity which was as strong as fate, could have brought about or would perhaps excuse. He had misunderstood their reason, as his counsel show that they do now, mistaken their temper and presumed upon their forbearance, he has forgotten that there was a point at which the conflict must end in the shock of two opposing forces and the overthrow of one or the other of the antagonistic elements. It was necessary, perhaps, in the order of Providence, that he should reach that point by striking such a blow at the public liberties as should awaken the people as with an earthquake shock as to the consciousness that the toleration of usurpating crime brings no security to nations. To show, however, how much they have borne and foreborne, perhaps forgiven for the sake of peace, and how much they now pass over for the sake of a speedy solution of the impending trouble, which has impeded the onward and upward movement of this great Government, and spread confusion and disorder throughout many of its Departments. And what, moreover, is the true import and significance of the acts for which the President is now arraigned. I must be allowed, with your indulgence, to take up for a moment the key which is required to unlock the mysteries of the position. The man who supposes that this is but a question of the removal of an obnoxious officer, a mere private quarrel between two belligerents at the other end of the avenue, wherein it is of no great national consequence which of the two opposing parties shall prevail, has no adequate apprehension of the gravity of the case, and greatly disparages the position and motives of the high accusers. The House of Representatives espouses no man's quarrels, however considerable he may be; it has but singled from the many others of equal weight the facts here charged as facts both in the past and of recent occurrence of great notoriety. The issue here is between two mightier antagonists, one the chief Executive Magistrate and the other the people of the United States, for whom the Secretary of War now held almost the only serong position of which they have not been dispossessed. It is but a renewal on American soil of the old battle between the royal prerogative and the privileges of the people, which was closed in England with the reign of the Stuarts—a struggle for the mastery between a temporary Executive and the Legislative power of a free State over the most momentous question that has ever challenged the attention of the people. The counsel for the President—reflecting, of course, the view of their employer—would have you believe that the removal of a Department head is an affair of State too small to be worthy of such an avenger as this we propose. Standing alone, stripped of all the attendant circumstances that explain the act and show the deadly animus by which it is inspired, it is not improbable that there are some who might have been induced to think with them that a remedy so extreme as this was more than adequate. It is only under the light upon the particular issue by antecedent facts which have now passed with history, that the giant proportions of this controversy can be fully seen, if they are not made sufficiently apparent now by the defiant tone of the President and the formidable pretension set up by him in his thoughtfully considered and painfully elaborate plea. The not irrelevant question, "Who is Andrew Johnson?" has been asked by one of his counsel, as it has often been by himself, and answered in the same way by himself, by showing who he was and what he had done before the people of the loyal States so generously intrusted him with that contingent power which was made absolute only for the advantage of defeated and discomfited treason by the murderous pistol of an assassin. I will not stop now to inquire as to scenes enacted on this floor and eloquently rehearsed by the counsel for the President, with two pictures of so opposite a character before me, or even to inquire whether his resistance to the hegira of the Southern Senators was not merely a question—himself being the witness—as to the wisdom of such a step at this particular time. The opportunity occurs here to answer it as it is put, by showing who Andrew Johnson is, as to what he has been since the hour of that improvident and unreflecting gift. *Epen quantum mutatus abillo.* Alas, how changed! How fallen from that high estate that won for him the support of a too confiding people! Would that it could have been said of him as of that apostate spirit who was hurled in hideous ruin and combustion down from heaven's crystal battlements, that even in his fall he had not yet lost all his original brightness nor appeared less than the archangel ruined. The master-key to the whole history of his administration, which has involved not a mere harmless difference of opinion, as one of his counsel seems to think, where gentlemen might afford to disagree without a quarrel, but one long and unseemly to be found in the fact of an early and persistent purpose of forcing the Rebel States into the Union by means of his executive authority in the interest of the men who had lifted their parricidal hands against it, on terms dictated by himself and in defiance of the will of the loyal people of the United States as declared through their representatives. To accomplish this object, how much has he not borne, and how much has a long-suffering people not passed over without punishment, and almost without rebuke. Let history, let your public records, which are the only authentic materials of history, answer, and they will say that, instead of convening Congress in the most momentous crisis of the State, he has issued his royal proclamation for the assembling of Conventions and the election of State Governments, prescribing the qualification of the voters, and settling the condition of their admission into the Union. For this he had created offices unknown to the law, and filled them with men notoriously disqualified by law, at salaries fixed by his own mere will. For this he had paid these officers in contemptuous disregard of law, and paid them, too, out of the Contingent fund of the Departments of the Government. For this he had supplied the expenses of his new Government by bringing over to them the spoils of the Confederacy, and authorizing his satraps to levy taxes from the conquered people. For this he had passed away unnumbered millions of the public property to Rebel Railroad Companies, without consideration; or sold it to them, in clear violation of law, on long credit, at a valuation of his own, and without any security whatever; for this he had stripped the Bureau of Freedmen and Refugees of its munificent endowment by tearing from it the land appropriated by Congress to the beggar wards of the Republic, and restoring their justly forfeited estates after the same had been vested by law in the Government of the United States; for this, he had invaded, with a ruthless hand, the very penetralia of the Treasury, and plundered its sentinels for the benefit of favored Rebels by ordering the restoration of the proceeds of sales of captured and abandoned property which had been placed in its custody by law. For this, he had grossly abused the pardoning power conferred on him by the Constitution, in releasing the most active and formidable of the leaders of the Rebellion, with a view to their service in the furtherance of his policy, and even delegated that power for the same objects to men who were indebted to its exercise for their own escape from punishment. For this, he had obstructed the course of public justice, not only by refusing to enforce the laws enacted for the suppression of the Rebellion and the punishment of treason, but by going into the courts and turning the greatest of the public malefactors loose and surrendering all control of them, by the restoration to them of their estates. For this, he had abused the appointing power by the removal, on system, of meritorious public officers, for no other reason than because they would not assist him in his attempt to overthrow the Constitution and usurp the legislative power of the Government. For this he had invaded the rightful privileges of the Senate, by refusing to send in nominations of officers appointed by him during the recess of that body and after their adjournment reappointing others who had been rejected by it as unfit for the places for which they had been recommended. For this he had broken the privileges of and insulted the Congress of the United States, by instructing them that the work of reconstruction belonged to him only, and that they had no legislative right or duty in the premises, but only to register his will by throwing open their doors to such claimants as might come there with commissions from their pretended Governments that were substantially his own. For this, that on their refusing to obey his imperial rescript he had arraigned them publicly as a revolutionary assembly and not a legal Congress without the power to legislate for the States excluded, and as traitors at the other end of the line in actual rebellion against the people they had subdued; for this he had grossly abused the veto power by disapproving every important measure of legislation that concerned the Rebel States, in accordance with his public declaration that he would veto all the measures of the law making power whenever they came to him; for this he had deliberately and confessedly exercised a dispensing power over the test-oath law by appointing notorious Rebels to important places in the revenue service on the avowed ground that the policy of Congress in that regard was not in accordance with his opinion; for this he had obstructed the settlement of the nation by exerting all his influence to prevent the people of the Rebel States from accepting the Constitutional Amendment or organizing under the laws of Congress and impressing that Congress was blood-thirsty and implacable, and that their only refuge was with him; for this he had brought the patronage of his office into conflict with freedom of elections by allowing and encouraging his official retainers to travel over the country, attending political conventions, and addressing the people in support of his policy; for this, if he did not enact the part of a Cromwell by striding into the Halls of the Representatives of the people and saying, "You are a hypocrite to another, you are a whore-monger; to a third, you are an adulterer; and to the whole, you are no longer a Parliament. He had rehearsed the same part substantially outside by traveling over the country, and in indecent harangues assailing the conduct and impeaching the motives of Congress, inculcating disobedience to its authority by endeavoring to bring it into disrepute, declaring publicity of one of its members that he was a traitor, and of another that he was an assassin, and of the whole that they were no longer a Congress. For this, in addition to the oppression and bloodshed, had resulted from known partiality for traitors. He had pointed at efforts encouraging the murder of loyal citizens in New-Orleans by a mob, by holding correspondence with its leaders, denouncing the exercise of the rights of a political Convention to assemble peacefully in that city as an act of treason to be suppressed by violence, and commanding the military to assist instead of preventing the execution of the avowed purpose of disturbing them. For thus it is not too much to say in view of the wrong and outrage, and the cry of suffering that has come up to us upon the Southern breeze that he had in effect reopened the war, inaugurated anarchy, turned loose once more the incarnate devil of baffled treason, and unappeasable hate when as we fondly thought our victories had overthrown and bound in chains, ordained rapine and murder from the Potomac to the Gulf, and deluged the streets of Memphis as well as of New-Orleans, and the green fields of the South already dotted with many patriot graves, with the blood of martyred citizens, and because, for all, he has not been called to render all account for the reasons that have been already named, it is now assumed and argued by his counsel that he stands acquitted by a judgment which disaffirmed its truth although it rests for the most part on record evidence in part, that absolute verity which is of course not open to dispute. The assumption is, but another instance of that incorrigible blindness on the part of the President in regard to the ruling and motives of Congress that has helped to hurry him into his present unmilitary predicament as a criminal at your bar. But all these things were not enough. It wanted one drop more to make the cup of forbearance overflow, one other act that should reach the *sensorium* of the nation and make even those who might be slow to comprehend a principle, understand that further forbearance was ruin to us all, and that acts was done in the attempt to seize by force or stratagem on that department of the Government through which its armies were controlled. It was but a logical sequence of what had gone before, the last of the series of usurpations, all looking to the same great purpose. It did not rise perhaps beyond the hight of many of the crimes by which it was ushered in, but its meaning could not be mistaken. It was an act that smote upon the ear of the nation in such a way as to render it impossible that it could be either concealed, disparaged, or excused, as were the muffled blows of the pickaxe that had been silently undermining the bastions of the Republic. It has been heard and felt through all our wide domain, like the reverberation of the guns that opened their iron throats upon our flag at Sumter, and it has stirred the loyal heart of the people again with the electric power that lifted it to the night of the sublimest issue that ever led a martyr to the stake, or a patriot to the battle-field. That people is here to-day through its representatives on your floor, and in your galleries, in the persons alike of the veterans who have been scarred by the iron hail of battle, and of the mothers, and wives, and daughters of those who have died that the Republic might live, as well as of the commissioned exponents of the public will to demand of their triumph in the award of a nation's justice upon the high offender. And now as to the immediate issue which I propose to discuss only in the constitutional and legal aspects. The great crime of Andrew Johnson as already remarked, running through all his Administration, is that he has violated his oath of office and

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